

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

November 18, 2010

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** Councilors Tim Carpenter (W1)

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on November 10, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kelly; Seconded by Councilor Rabideau  
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending November 17, 2010 in the amount of \$ 285,432.92 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Valentine; Seconded by Councilor Jackson  
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of November 11– November 17, 2010
- Report from the Building Inspector's Office from May 5 – November 16, 2010
- Statement from the City Clerk's Office of all monies received during the month of October 2010 in the total amount of \$31,221.67
- Report from the Parking Violations Bureau for October 2010
- Statement of cash receipts from the Library from October 1 – October 31, 2010

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Valentine  
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 1,030,032.63 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Jackson  
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL: None**

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**7. OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from September 1, 2009 to September 30, 2009 in the total amount of \$1,213.72. The percentage of write-offs for this period is .13%.

By Councilor Kelly; Seconded by Councilor Jackson  
Discussion: None  
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves a Change Order to Project HOME-2- 2009 at 144 Pine Street (Martin) in the total amount of \$990.00 and will be funded by the 2009 DHCR HOME Grant.

By Councilor Kelly; Seconded by Councilor Valentine  
Discussion: None  
Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves reducing the amount of candy by a half ton and to use the monetary savings to purchase non food items or healthy food items for Trick or Treat on Safety Street.

By Councilor Valentine; Seconded by Councilor Kelly  
Discussion:

**Councilor Kelly** felt that this week we have had a sort of a fox-newsque approach to something that is so simple and so benign. Whether or not we have more candy at Halloween, there was an article in the paper today, there was an editorial; there have been letters to the editor and all this in a very short period of time. You would have thought **Councilor Valentine** had advocated maybe boiling babies and eating them for Halloween or something it is just way over the top he thinks. It kind of points to one of the problems in our City that he has observed as a citizen and also as a Councilor and that is we are so afraid to try something new. This isn't going to hurt anything. The kids are going to get their candy or treats they are going to be just as happy with some healthy gummy bears as they're going to be with a 3 musketeers bar. It doesn't matter. And if for some reason it turns out to be a disaster they will do something else the following year what is the big deal. Give it a try, that is all he is saying, give it a try what can it hurt.

**Councilor Jackson** feels that Halloween as a kid, and he confirmed this with people he knows who have small children, is more about dressing up and the excitement of dressing up and having people see you and seeing other people. This is a terrific event for the Crete Center which has been a white elephant forever and to have 2500 people go to the Crete Center for an event only promotes it and he hopes they have 5 times that amount for the Snocross in January. He asked the parents of the children that go trick or treating, what happens to the candy. They said the candy more or less gets forgotten unless they have one of their favorite candy bars or pieces of candy in there. As far as the obesity piece of it that is for the parents to decide what the kids eat and don't eat it is not up to us to determine that. To him it is a good event that helps to promote the Crete Center which can only help them in the future. He asked the **Superintendent of Recreation Steve Peters** what the high age and it is probably 8 years old. So it is mostly kids between the 2 and 8 that go to this thing. It is a nice family oriented event. 364 days they offer great programs for health this one he just wants to leave alone.

**Councilor Calnon** thinks that there is certainly a great deal of sense in looking at how we do this. His interest is whose job is it to do that and he doesn't think that obesity has a more fervent opponent than **Steve Peters**. He would prefer to leave this in the discretion of the department head and the point that there are snacks that are healthier, the fact that there are alternatives to food items that could be considered is something that really should be considered, but, he thinks it should be an administrative decision and he doesn't necessarily want to tie their hands one way or another.

**Councilor Rabideau** said over the years they have dealt with a lot of different issues. He thinks there are important issues such as; the city budget, the tax rate, the city health plan, city equipment and all the things that it takes to run the city. Over the years he has heard some doosies; impeach a certain president, even though he hasn't heard that in the last couple years, he has heard fluoride issues, he's heard chicken issues, he has heard all kind of different things and now we have candy issues. But, he honestly feels their function is to concentrate on the running of the city and what the taxpayers really want them to be working on. He is going to vote no because he feels that even though this resolution was brought up at this time that it does change it does change the way the city operates, it does change what the past practice was and he thinks it should be voted on by the new **Council** members

that come on. There is only 5 weeks left with this present **Council** and 2 people are leaving, 2 people are coming on, whoever they are, but he thinks they should have a voice in what happens whether it is this issue or more issues that come up in the next 5 weeks. Whether their issues that involve trees or he doesn't know what it is going to involve. He does think the new **Council** new people that come on should be the people voting on those issues. However, I am going to vote no on this if it comes up with the new **Council** as well as he is voting no tonight. But they ought to have a voice in what transpired because they are dealing with the way the city operates for the next 3 years.

**Councilor Valentine** asked **Councilor Rabideau** then anything they put forward between now and the end of the year he is going to vote no to because he will want the new **Council** to vote on that.

**Councilor Rabideau** said if it changes the past practice of the city. If it involves the regular resolutions that they handle but if there are other issues that come up that are brought up and is changing what the city did as past practice, it's a new policy or anything that is different from the way they operate today he is going to vote no because he believes the new **Council** deserves a right to vote on what they are going to be affected by for the next 3 years whoever they may be.

**Councilor Valentine** when she brought this up in conversation a few weeks ago there was a couple of different pieces to this. One was safe neighborhood as well as what we as a **Council** are representing by allowing this event to occur. She thinks they are leaders in the community and with that a role that decisions are not always easy. Certainly popular ones are easy less popular changes are not so easy to make as they know with having to scale back Mayor's Cup and other quality of life issues through the year. But she does believe they have a responsibility as a group of leaders to do what is responsible and we are facing issues of childhood obesity not just obesity but issues around poor health and she doesn't believe that the city should be promoting an event that provides candy to children. CVPH, in fact tomorrow, their grand rounds is on childhood obesity and co-morbidity's we're facing that issue everyday in our community. She thinks that the compromise is reasonable and will be easy for the recreation administration to administer. She would have preferred to have seen all of the candy go but she thinks this is a compromise that this will still allow the event to fulfill its function which is to help market and bring business our way, a venue for those who like to politic at the time perhaps. Her other thought is that maybe its real intent was to offer a safe alternative to trick or treating on Halloween that the event needs to actually be on Halloween because that's the actual intent was to provide a controlled event on the day of Halloween so she would like to see perhaps that we go back to having this event on Halloween.

**Councilor Kelly** said if the **Mayor** and **Councilors** are worried about children getting their candy on Halloween they come to Johnson Ave where they have 200 or 300 children a year pass by their door and they usually run out of candy and have to turn off the lights. The children of Plattsburgh are getting their candy they don't have to give it to them. They are getting plenty of candy from neighborhood residents.

**Councilor Rabideau** asked **Councilor Kelly** if he hands out candy at his house.

**Councilor Kelly** responded yes he does. Another thing he was thinking is that they mentioned this is a really popular event. Well smoking cigarettes is pretty popular for some people, they don't condone

that, crack cocaine is pretty popular for some people and they certainly don't condone that and this is having some of the same effects on children and he doesn't know if they should be in the candy giving business but we'll see.

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson  
(Councilors Kelly and Valentine voted in the affirmative. Councilors Rabideau, Calnon and Jackson voted in the negative)

**ACTION TAKEN:** Defeated

Follow up Action: None

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**D. Motion to waive rule 4 for initial consideration** "Request from City Engineer Kevin Farrington to award Northern Snow & Dirt, Contract # 2010-15 - "Penfield Park Fence Improvements at Lefty Wilson Field" for a total cost of \$31,200."

By Councilor Valentine; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**RESOLVED:** In accordance with the request therefore the Common Council approves that Northern Snow & Dirt be awarded Contract # 2010-15 - "Penfield Park Fence Improvements at Lefty Wilson Field" for a total cost of \$31,200.

By Councilor Valentine; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **8. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves two Police Officers to attend the "Physical Fitness Instructor Course and a three week Defensive Tactics Instructor Course" from November 28- December 2, 2010, December 6 –10, 2010 and December 12 –17, 2010 in Kingston, NY. The cost will not exceed \$3,064 and will be paid out of the Asset Forfeiture Fund (Treasury funds).

By Councilor Calnon; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Request that the City of Plattsburgh adopt a “Workplace Violence Prevention Policy & Incident Reporting policy.” The designated contact person is City Chamberlain Richard Marks.
2. Request from City Engineer Kevin Farrington to award Northern Snow & Dirt, Contract # 2010-15 - “Penfield Park Fence Improvements at Lefty Wilson Field” for a total cost of \$31,200.  
**(Move to the agenda under “Other Items” Letter D)**
3. Request from Police Chief Desmond Racicot for a Police Officer to attend the “Sig Sauer Armorer Certification Training” from December 10- 12, 2010 in Epping, NH. The cost will not exceed \$758 and will be paid out of the Asset Forfeiture Fund (Treasury funds).

**Councilor Calnon** added the following for initial consideration:

4. Request from Police Chief Desmond Racicot to purchase and implement a time and attendance data collection system for \$80,853.

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**10. NEW BUSINESS:**

**Councilor Valentine** in light of today’s editorial. Her primary permanent residence will change at the end of this year. Until then she will remain accountable to her tasks and responsibilities as a City Councilor thru the end of her term. At this moment she would really like to go to bat for the Press Republican because not everyone who works there is an idiot. That is all she has to say.

**Councilor Kelly** wondered if the Village of Essex gives out candy for Halloween

**Councilor Valentine** said they give out cheers to the CSA’s.

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**11. CLOSING PUBLIC COMMENTS: None**

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly

Roll call: Councilors Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**MEETING ADJOURNED: 5:49 pm**